

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

05 CR 10041 WGY

UNITED STATES OF AMERICA)	
	)	CRIMINAL NO.
v.)	
	)	VIOLATIONS:
RAFAEL GONZALEZ-VINCENTE,)	
a/k/a "Willy", a/k/a	)	21 U.S.C. § 846 --
Raphael Gonzalez, Jr.	)	Conspiracy To Distribute
	)	and To Possession with
and	)	Intent To Distribute Cocaine Base
)	
JOSE A. RAMOS,	)	21 U.S.C. § 841(a)(1) --
a/k/a "Jonathan",	)	Distribution of Cocaine Base
)	
	)	18 U.S.C. § 2 --
	)	Aiding and Abetting
)	
Defendants.	)	21 U.S.C. § 853 --
	)	Criminal Forfeiture Allegation
)	

INDICTMENT

COUNT ONE: (21 U.S.C. § 846 - Conspiracy To Distribute and To Possess with Intent To Distribute Cocaine Base)

The Grand Jury charges that:

Beginning in or about August 2003 and continuing to in or about January 2005, at Salem, Lynn and Peabody and elsewhere in the District of Massachusetts,

RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,
and
JOSE A. RAMOS, a/k/a Jonathan,

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the Grand Jury to distribute and to possess with intent

to distribute cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the conspiracy described herein involved at least 50 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine." Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (Title 21, United States Code, Section 841(a)(1)--
Distribution of Cocaine Base;
Title 18 United States Code, Section 2 -- Aiding and
Abetting)

The Grand Jury further charges that:

On or about September 22, 2004, at Peabody in the District
of Massachusetts,

RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,

defendant herein, did knowingly and intentionally distribute and
possess with intent to distribute cocaine base, also known as
"crack" cocaine, a Schedule II controlled substance.

The Grand Jury further charges that the offense described
herein involved at least 5 grams of a mixture or substance
containing a detectable amount of cocaine base, also known as
"crack cocaine." Accordingly, Title 21, United States Code,
Section 841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (Title 21, United States Code, Section 841(a)(1)--
Distribution of Cocaine Base; Title 18 United States
Code, Section 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about October 28, 2004, at Peabody in the District of
Massachusetts,

RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,
and
JOSE A. RAMOS, a/k/a Jonathan,

defendants herein, did knowingly and intentionally distribute and
possess with intent to distribute cocaine base, also known as
"crack" cocaine, a Schedule II controlled substance.

The Grand Jury further charges that the offense described
herein involved at least 5 grams of a mixture or substance
containing a detectable amount of cocaine base, also known as
"crack cocaine." Accordingly, Title 21, United States Code,
Section 841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

**COUNT FOUR: (Title 21, United States Code, Section 841(a)(1)--
Distribution of Cocaine Base; Title 18 United States
Code, Section 2 -- Aiding and Abetting)**

The Grand Jury further charges that:

On or about November 17, 2004, at Peabody in the District of
Massachusetts,

**RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,**

defendant herein, did knowingly and intentionally distribute and
possess with intent to distribute cocaine base, also known as
"crack" cocaine, a Schedule II controlled substance.

The Grand Jury further charges that the offense described
herein involved at least 5 grams of a mixture or substance
containing a detectable amount of cocaine base, also known as
"crack cocaine." Accordingly, Title 21, United States Code,
Section 841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

COUNT FIVE: (Title 21, United States Code, Section 841(a)(1)--
Distribution of Cocaine Base; Title 18 United States
Code, Section 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about January 27, 2005, at Gloucester in the District
of Massachusetts,

RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,

defendant herein, did knowingly and intentionally possess with
intent to distribute cocaine base, also known as "crack" cocaine,
a Schedule II controlled substance.

The Grand Jury further charges that the offense described
herein involved at least 5 grams of a mixture or substance
containing a detectable amount of cocaine base, also known as
"crack cocaine." Accordingly, Title 21, United States Code,
Section 841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION: (21 U.S.C. §853 -- Criminal Forfeiture)

The Grand Jury further charges that:

1. As a result of committing one or more of the offenses alleged in Counts One through Five of this indictment,

RAFAEL GONZALEZ-VINCENTE,
a/k/a Willy, a/k/a Raphael Gonzalez, Jr.,
and
JOSE A. RAMOS, a/k/a Jonathan,

defendant herein, shall forfeit to the United States, pursuant to 21 U.S.C. §853: (1) any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the charged offenses; and (2) any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses.

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

subdivided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable

property.

All in violation of Title 21, United States Code, Section 853.

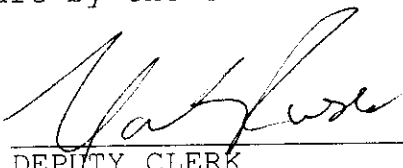
A TRUE BILL


FOREPERSON OF THE GRAND JURY


DENISE JEFFERSON CASPER
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; FEBRUARY 24, 2005.

Returned into the District Court by the Grand Jurors and
filed.


DEPUTY CLERK
a) 3:02 P.M.

JS 45 (5/97) - (Revised USAO MA 6/29/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Salem, Peabody Category No. II Investigating Agency DEACity Salem, Peabody Related Case Information:County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number 05-1631-CBS
Search Warrant Case Number 05-1632-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Rafael Gonzalez-Vincente Juvenile ☐ Yes ☒ NoAlias Name Willy, Raphael Gonzalez, Jr.Address 14 Cherry Street, Apt. 1, Salem, MABirth date (Year only): 1971 SSN (last 4 #): 2776 Sex M Race: _____ Nationality: _____Defense Counsel if known: Steven J. Rappaport Address: 228 Central Street
Lowell, MA 01852

Bar Number: _____

U.S. Attorney Information:AUSA Denise Jefferson Casper Bar Number if applicable 568116Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: January 27, 2005☒ Already in Federal Custody as January 27, 2005 in Plymouth House of Corrections☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ 5 Felony _____

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: February 24, 2005Signature of AUSA: Denise Jefferson Casper

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Raphael Gonzalez-Vincente

U.S.C. Citations

Description of Offense ChargedCount NumbersIndex Key/Code

Set 1	<u>18 U.S.C. §846</u>	<u>Conspiracy to distribute cocaine base</u>	<u>1</u>
Set 2	<u>18 U.S.C. §841(a)(1)</u>	<u>Distribution of cocaine base</u>	<u>2, 3, 4, 5</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 6/20/00)

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Salem, Peabody Category No. II Investigating Agency DEACity Salem, Peabody Related Case Information:County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number 05-1631-CBS
Search Warrant Case Number 05-1632-CBS
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Jose A. Ramos Juvenile ☐ Yes ☒ NoAlias Name JonathanAddress 14 Cherry Street, Apt. 1, Salem, MABirth date (Year only): 1980 SSN (last 4 #): 1539 Sex M Race: _____ Nationality: _____

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Denise Jefferson Casper Bar Number if applicable 568116Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: ☐ Yes ☒ No☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: February 24, 2005

Signature of AUSA:



Denise Jefferson Casper

US CR 10041 WGY

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jose A. Ramos

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §846</u>	<u>Conspiracy to distribute cocaine base & cocaine</u>	<u>1</u>
Set 2	<u>18 U.S.C. §841(a)(1)</u>	<u>Distribution of cocaine base</u>	<u>3</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: